

MINUTE ITEM
This Calendar Item No. C40
was approved as Minute Item
No. 40 by the State Lands
Commission by a vote of 3
to 0 at its 9-19-00
meeting.

CALENDAR ITEM
C40

A 19
S 8

09/19/00
WP 7831.9
F. Singer

AMENDMENT OF LEASE

LESSEE:

University of California, San Diego
Scripps Institution of Oceanography
9500 Gilman Drive
La Jolla, California 92093-0225

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Pacific Ocean, near Pillar Point, San Mateo County.

AUTHORIZED USE:

Continued use and maintenance of an existing power cable.

LEASE TERM:

Five years, beginning May 3, 1995.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

PROPOSED AMENDMENT:

Extention of lease from May 3, 2000 to December 31, 2000. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. On May 3, 1995, the Commission executed a General Lease - Public Agency Use with the University of California, San Diego; Scripps Institution of Oceanography. That lease expired on May 2, 2000. Lessee will not be able to remove its facilities from the Pacific Ocean at Pillar Point before the fall of 2000. Lessee is now applying for an extension of the lease.

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2. Applicant has a right to use the uplands adjoining the lease premises.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

James V. Fitzgerald Marine Reserve, State Lands Commission; Coastal Commission; National Marine Fisheries Service; United States Army Corps of Engineers; and Monterey Bay National Marine Sanctuary

FURTHER APPROVALS REQUIRED:

N/A

EXHIBIT:

- A. Legal Description and Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

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RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

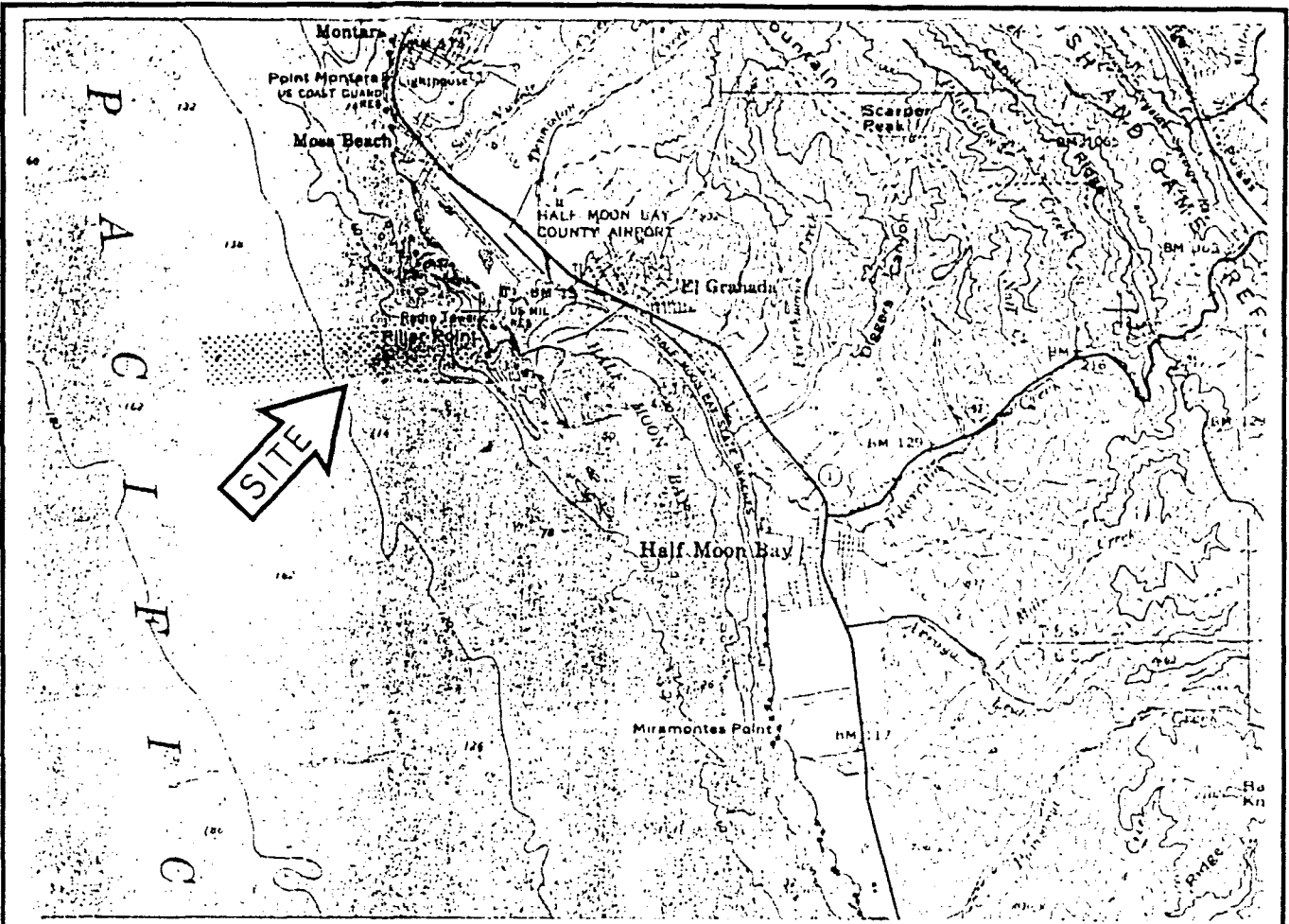
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7831.9, A GENERAL LEASE - PUBLIC AGENCY USE, OF LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE MAY 3, 2000, TO EXTEND THE EXPIRATION DATE OF THIS LEASE TO DECEMBER 31, 2000; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.



Section 3

W 25091
 U.C. San Diego-
 Scripps Institute of
 Oceanography
 Pillar Point
 San Mateo County



LAND DESCRIPTION

A strip of tide and submerged land in the Pacific Ocean, San Mateo County, California. Said parcel lying immediately beneath a seabed cable in the approximate location shown, bounded easterly by the ordinary high water mark and bounded westerly by the State of California three mile offshore boundary as said boundary is described in United States v. California 381 U. S. 139 (1965).

END OF DESCRIPTION

PREPARED MARCH 1995 BY SFBC

This Exhibit is solely for purpose of generally defining the lease premise, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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